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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,668	05/21/2004	Boris A. Movchan	13DV-14039-3	3667
30952 7590 05/03/2007 HARTMAN AND HARTMAN, P.C. 552 EAST 700 NORTH VAIPARAISO, IN 46383			EXAMINER BUEKER, RICHARD R	
			ART UNIT 1763	PAPER NUMBER
			MAIL DATE 05/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 19 and 20 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Venkatesan (5,015,492), who discloses an apparatus comprising a single evaporation source containing multiple different oxide compounds having differing vapor pressures (see col. 1, lines 55-66). The apparatus includes a means for suspending a substrate near the evaporation source, a means for projecting a high energy beam (laser beam) onto the evaporation source, a shutter (see 46 of Fig. 1 and col. 7, lines 37-66) which can be used to prevent a vapor cloud from the laser irradiated source from contacting the substrate to be coated, and a means for removing the shutter to allow the coating vapor to coat the substrate. The apparatus of Venkatesan (see col. 7, lines 6-66) also includes a charge detecting probe, wherein the charge detecting probe determines when a composition of the vapor cloud is different from the composition of the single evaporation source during a first time period, and wherein the charge detecting probe also determines when a composition of the vapor cloud is approximately equal to the composition of the single

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evaporation source during a second time period that immediately follows the first time.

The charge detecting probe of Venkatesan is therefore inherently a means for determining a first time period and second time period as now claimed. Also, the step of determining when a composition of the vapor cloud is different from the composition of the single evaporation source during a first time period inherently includes determining those time periods when the relative amount of an oxide compound having a vapor pressure higher than remaining oxide compounds in the vapor phase is greater than the relative amount of that oxide compound in the evaporation source. The apparatus of Venkatesan has an inherent capability of being used as intended by applicants. Regarding claim 19, Venkatesan teaches (see col. 7, lines 62-66) that his means for removing the shutter can be a programmable means, wherein the programmable means comprises the charge detecting probe, which is a means for sensing the composition of the vapor cloud. Regarding claim 20, Venkatesan's removing means is inherently operable to position the shutter between the evaporation source and the component both before and after the second time period.

Claims 6 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 9-18 are considered allowable over the prior art of record.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Bueker whose telephone number is (571) 272-1431. The examiner can normally be reached on 9 AM - 5:30 PM, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on (571) 272-1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Richard Bueker
Primary Examiner
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